

EXHIBIT 23

From: James Kolenich
To: [Christopher Greene](#)
Cc: [David Campbell](#); [Mike Peinovich](#); [dinuccilaw@outlook.com](#); [bryan@bjoneslegal.com](#); [isuecrooks@comcast.net](#); [Roberta Kaplan](#); [Gabrielle Tenzer](#); [kdunn@bsfilp.com](#); [pbowman@bsfilp.com](#); [alevine@cooley.com](#); [dmills@cooley.com](#); [Joshua Libling](#)
Subject: Re: Proposed Imaging/ESI Stipulation - Sines v. Kessler
Date: Monday, June 25, 2018 3:12:52 PM

Chris,

Bryan Jones joins in the following response:

We agree with and adopt the responses made by Mr. DiNucci in his fax earlier today with the following additions and or exceptions.

1) Defendants do not agree to bear the cost of this device imaging. Rather, our preliminary discussions were based on the understanding that Plaintiffs would absorb this cost, at least by means of reimbursing Defendants for the vendor invoices. (p. 7 para. 3.)

2) We cannot agree to any obligations that are not reciprocal anywhere in the document whether or not specified by Mr. DiNucci.

3) This especially includes the necessity of Plaintiffs reporting a Exhibit A type certification to the defendants.

4) We do not understand Mr. DiNucci's paragraph 3 in quite the same way as he does and are comfortable working with a competent ESI vendor if we can come to an agreement.

Best,

Jim

On Wed, Jun 13, 2018 at 7:19 PM, Christopher Greene <cgreene@kaplanandcompany.com> wrote:

FOR DISCUSSION PURPOSES ONLY

All,

Pursuant to the Court's instructions during the June 5, 2018 teleconference, Plaintiffs propose that the parties enter into the attached Proposed Stipulation and Order for the Imaging, Preservation and Production of Documents. In light of the Court's urging that the

parties confer on this issue “pretty soon,” June 5, 2018 H. Tr. at 14, Plaintiffs request that Defendant provide any comments to the Proposed Stipulation and Order no later than June 20.

Regards,

Christopher B. Greene

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